

ROBERT F. WHITWORTH SBN: 166872
RICHARD L. THRUN SBN: 31471
GRAY AND THURN, INC.
195 CADILLAC DRIVE
SACRAMENTO, CA 95825
Telephone (916) 920-2800
Fax: (916) 920-3409
E-Mail: rthurn@grayandthurn.com
rwhitworth@grayandthurn.com

ATTORNEYS FOR DEFENDANT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their capacities
as Trustees of the LABORERS HEALTH AND
WELFARE TRUST FUND
FOR NORTHERN CALIFORNIA; LABORERS
VACATION-HOLIDAY TRUST FUND FOR
NORTHERN CALIFORNIA; LABORERS
PENSION TRUST FUND FOR NORTHERN
CALIFORNIA; and LABORERS TRAINING
AND RETRAINING TRUST FUND FOR
NORTHERN CALIFORNIA,

Plaintiffs,

v.

ALLEN L. BENDER, INC., a California
Corporation,

Defendant.

No. 4:13-cv-03297-SBA

STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE

Pursuant to Federal Rules of Civil Procedure 12, and Local Rule 6-1(a), Plaintiffs and Defendant hereby stipulate to continue the initial Case Management Conference, currently set for October 16, 2013, for 30 days to allow the Parties to reach an informal resolution of this matter.

Plaintiff filed the First Amended Complaint in this action on July 16, 2013, and Defendant

1 was served with the Complaint and Summons on July 24, 2013. Defendants filed an Answer to
2 the Complaint on September 26, 2013. Since that time the parties have been attempting a
3 resolution of this case and it is believed one can be reached by the 30th of October, 2013. Even if
4 the Parties are not able to fully resolve this matter, further discussion should narrow the scope of
5 issues remaining in this matter.

6
7 The parties also agree that pursuant to Local Rule 6-1(a), this stipulation is respectfully
8 submitted to the Court for approval without the necessity of a hearing.

9
10
11 DATED: October 11, 2013

12 GRAY AND THURN, INC.


13
14 By: /s/ Robert F. Whitworth
15 ROBERT F. WHITWORTH,
Attorneys for ALLEN L. BENDER INC.

16 WEINBERG, RODGER AND ROSENFELD
17 A Professional Corporation

18 By: /s/ Concepcion E. Lozano-Batista
19 CONCEPCION E. LOZANO-BATISTA,
20 Attorneys for Plaintiff

21
22 Approved by the Court the Case Management Conference is continued to **November 21, 2013**, at
23 **3:00 p.m.** The parties shall **meet and confer** prior to the conference and shall prepare a joint
24 Case Management Conference Statement which shall be filed no later than seven (7) days prior
25 to the Case Management Conference that complies with the Standing Order For All Judges Of
26 The Northern District Of California and the Standing Order of this Court. Plaintiffs shall be
27 responsible for filing the statement as well as for arranging the conference call. All parties shall
28

1 be on the line and shall call (510) 637-3559 at the above indicated date and time.

2
3 
4 SAUNDRA BROWN ARMSTRONG
5 United States District Judge

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
128014/737833